

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

AMERICAN UNIVERSITY OF  
ANTIGUA,

Plaintiff,

v.

HONORABLE PATRICK J. DUGGAN

No. 10-10978

STEVEN WOODWARD,

Defendant.

\_\_\_\_\_ /

MOTION TO REMOVE ATTORNEY

Detroit, Michigan -- Thursday, August 11, 2011

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- - -

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**I N D E X**

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**Detroit, Michigan**

**Thursday, August 11, 2011**

**3:11 p.m.**

- - -

**THE CLERK:** Civil action number 10-10978; American University of Antigua College of Medicine versus Steven Woodward.

**THE COURT:** All right. Identify yourselves, for the record.

**MR. WOODWARD:** My name is Steven Woodward, I'm the defendant.

**MR. BUIKEMA:** Good afternoon, Your Honor. Eric Buikema, on behalf of the plaintiff, American University of Antigua.

**MR. TAGGART:** Your Honor, Leigh Taggart, from Rader, Fishman & Grauer, I was the pro bono counsel, the court appointed.

**THE COURT:** Why don't you come forward.  
Mr. Woodward, come up. Now, this is your request, Mr. Woodward? This is your request that you made, Mr. Woodward?

**MR. WOODWARD:** Pardon me, sir?

**THE COURT:** This is a request you made?

**MR. WOODWARD:** What's that?

**THE COURT:** To remove him as attorney?

**Motion To Remove Attorney  
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1           **MR. WOODWARD:** Yes, I did.

2           **THE COURT:** Okay. That's why we're here, isn't  
3 it?

4           **MR. WOODWARD:** Right, sir. I didn't understand  
5 your question. Sorry.

6           **THE COURT:** And you understand he's, "Pro bono",  
7 volunteering his services?

8                           **Motion To Remove Attorney**

9           **ARGUMENT BY MR. WOODWARD**

10           **MR. WOODWARD:** Your Honor, I believe there's a  
11 major conflict of interest here.

12           **THE COURT:** Stop. You understand that he's  
13 volunteering his services?

14           **MR. WOODWARD:** According to the contract that I  
15 have, I didn't see that it was a volunteer of services.  
16 As far as in the contract it stated that, "Redemption  
17 of funds for services rendered--", I forget the exact  
18 quotation of the contract that I was about to sign.

19           **THE COURT:** The contract?

20           **MR. WOODWARD:** Yeah, there was a contract that I  
21 was to sign to have him represent me?

22           **MR. TAGGART:** An engagement letter, Your Honor.

23           **THE COURT:** And does it provide for compensation?

24           **RESPONSE BY MR. TAGGART**

25           **MR. TAGGART:** No, what it provides is that there's

1 a, and I do this with all pro bono clients, that we're  
2 providing our services for free. That there's a court  
3 fund available to pay up to \$2,000 of costs in the  
4 proper circumstances, if approved by the Court. And  
5 the client understands that if the Court awards us  
6 costs, offsets, that that goes to the firm, not to the  
7 client because we've paid the money for the costs.

8 **RESPONSE BY MR. WOODWARD**

9 **MR. WOODWARD:** I read that differently, Your  
10 Honor.

11 **THE COURT:** How did you read it?

12 **MR. WOODWARD:** I read it that their time spent  
13 would be money that I could owe them, is how I read the  
14 engagement letter.

15 **THE COURT:** How did you read it that way? Do you  
16 have it in front of you? Show me what words in there  
17 that led you to that conclusion?

18 **MR. WOODWARD:** I do have a copy of it. I've got  
19 it. It could be an error of mine. I do have --

20 **THE COURT:** Hold on. Stop. Read it. Don't keep  
21 telling me, "I read it this way." Bring it out in  
22 front of you and show me where it says that that led  
23 you to that conclusion.

24 **MR. WOODWARD:** "You agree that we may seek  
25 reimbursement, expenses actually incurred on your

1           behalf and that any amount paid to the Court from its  
2           fund shall go solely and directly to the firm and not  
3           to you."

4           **THE COURT:** That's reimbursement of costs.

5           **MR. WOODWARD:** But I read that against me also.  
6           Reimbursement of costs to me if I don't agree with  
7           their evaluations.

8           **THE COURT:** What do you mean?

9           **MR. WOODWARD:** "If you refuse to follow our advice  
10          or refuse to cooperate in preparing your case,  
11          including failing to communicate with us about the  
12          case, then we request informal decision, you agree that  
13          we shall have the right to terminate the  
14          representation."

15          So, basically, I read it as I would owe them money  
16          if they --

17          **THE COURT:** I don't know how you read it that way.  
18          Fact of the matter is, you're not paying them, are you?

19          **MR. WOODWARD:** No.

20          **THE COURT:** Okay. So, you're getting a free  
21          lawyer, correct?

22          **MR. WOODWARD:** Well, I don't see it like that,  
23          Your Honor, not if one of their clients is Trinity  
24          Healthcare Network.

25          **THE COURT:** Time out. Why does that change that

1           you're getting a free lawyer?

2           **MR. WOODWARD:** Because Trinity Healthcare Network  
3           is in docket one as one of his partners.

4           **RESPONSE BY MR. TAGGART**

5           **MR. TAGGART:** Your Honor, may I address the issue  
6           that I think Mr. Woodward is concerned about?

7           **THE COURT:** Sure.

8           **MR. TAGGART:** And perhaps legitimately so, I'm not  
9           expressing an opinion about that.

10           When I met with Mr. Woodward initially, he was  
11           kind enough to come to our office and bring his  
12           documents with him. And I explained to him that we had  
13           looked at his earlier court case, which he had filed in  
14           Oakland County Circuit Court. That was a case in which  
15           he was ultimately unsuccessful, appealed to the  
16           Michigan Court of Appeals and was unsuccessful there.  
17           The reason I brought that up is because one of the  
18           named defendants, in his earlier litigation, was  
19           Trinity Health Systems. My firm represents Trinity in  
20           trademark matters unrelated to the present case.

21           I did that to explain to Mr. Woodward that though  
22           Trinity was not named, in this case, I wanted to make  
23           it clear to him that we could not take positions  
24           adverse to a current client of the firm and comply with  
25           their obligations under the bar rules. I also



1 explained that in my analysis, I did not believe that  
2 this case would require us to do so. But I had to  
3 inform Mr. Woodward of that position obviously in order  
4 to comply with my obligation under the bar rules.

5 Mr. Woodward, I think, I'll let him speak for  
6 himself on this. But my understanding from our  
7 communications, that I don't want to reveal exactly,  
8 unless he chooses to, is that he had remaining concern  
9 about the potential for my firm's conflict of interest,  
10 given the fact that we had an ongoing relationship with  
11 Trinity Healthcare.

12 **THE COURT:** Fair enough. Is that a fair statement  
13 of what happened?

14 **RESPONSE BY MR. WOODWARD**

15 **MR. WOODWARD:** That and also right off the bat he  
16 says that if I don't agree with one of his  
17 recommendations, one of his recommendations was to file  
18 a Rule 56(d) motion for an adjournment of this upcoming  
19 hearing of which Mr. Buikema has not complied with Rule  
20 34 of production of documentation, including my own  
21 student records, which are a violation of 20 U.S.C.  
22 1234(g) of the very exact laws of which he's claiming I  
23 violate.

24 And it also supports my claim that the school --  
25 I'm going to read his exact claim, "Disregard for basic

1 student civil rights". And that's an obvious civil  
2 right to give students a right to view their  
3 documentation.

4 **THE COURT:** Well, you're telling me that you're  
5 not satisfied that this attorney should continue  
6 representing you?

7 **MR. WOODWARD:** I'm very satisfied with that. I  
8 feel that if --

9 **THE COURT:** Stop. I said, "You're not satisfied."

10 **MR. WOODWARD:** Right. Correct. I'm not satisfied  
11 with that. Just based on his first opinion of what he  
12 wants to do with this case, I don't agree with him.

13 **THE COURT:** All right. Then I'm going to allow  
14 him to withdraw but you're not getting another attorney  
15 appointed.

16 **MR. WOODWARD:** I needed an attorney back in  
17 December of when I was --

18 **Decision By The Court**

19 **THE COURT:** That's your job. We don't have funds  
20 to appoint attorneys. We do have a limited number of  
21 attorneys who volunteer to take pro bono cases, very  
22 limited number. We don't have any more.

23 So, you're dissatisfied with him. You think  
24 there's a conflict, he shouldn't have to represent you.  
25 And you want him out, he's out. You're on your own.

Decision By The Court  
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1           You either represent yourself or get yourself a  
2           lawyer.

3           **MR. WOODWARD:** I understand that.

4           **THE COURT:** Okay.

5           **MR. WOODWARD:** I'd like to bring up a couple more  
6           points while I'm here.

7           **MR. TAGGART:** May I be excused, Your Honor?

8           **THE COURT:** Sure.

9           **MR. TAGGART:** Thank you.

10           **Motion To File Electronic Files**

11           **ARGUMENT BY MR. WOODWARD**

12           **MR. WOODWARD:** And that's about electronic filing.  
13           I've asked for a motion to file electronic  
14           documentation, in this matter.

15           **THE COURT:** I'm sorry, you asked for a motion?

16           **MR. WOODWARD:** I submitted a motion to file -- to  
17           be able to file an -- I can't go to the County Clerk's  
18           Office and give them a CD with evidence on it, they  
19           won't accept it without an order from you saying that I  
20           can submit a CD as far as the case is concerned because  
21           it's an electronic file.

22           **THE COURT:** Did you submit a document seeking an  
23           order from me on that?

24           **MR. WOODWARD:** I did, I submitted two of them,  
25           sir. It's docket 132, sir.

1           **THE COURT:** My clerk tells me there's a number of  
2 matters pending before a Magistrate.

3           **MR. WOODWARD:** All I'm asking for --

4           **THE COURT:** Did you hear me?

5           **MR. WOODWARD:** I know there's a --

6           **THE COURT:** Listen to me, don't talk.

7           **MR. WOODWARD:** Yes, sir. I know there's a bunch

8 --

9           **THE COURT:** Listen, don't talk, listen. My clerk  
10 says there's a number of matters pending before the  
11 Magistrate; is that correct?

12           **MR. WOODWARD:** Yes, sir.

13           **THE COURT:** Okay.

14           **MR. WOODWARD:** But sir, that particular instance  
15 goes all the way back to docket three.

16           **THE COURT:** That doesn't tell me anything.

17           **MR. WOODWARD:** I mean, that goes back to last  
18 year.

19           **THE COURT:** What goes back?

20           **MR. WOODWARD:** The fact to be able to file  
21 electronic documentation. I asked for that in docket  
22 three.

23           **THE COURT:** Okay. I don't know where it is, maybe  
24 the Magistrate has it, whatever. But do you have a  
25 copy of what you've submitted?

1                   **MR. WOODWARD:** I do, sir. May I leave the --

2                   **THE COURT:** Sure.

3                   **MR. WOODWARD:** May I approach the Bench, sir?

4                   **THE COURT:** Sure.

5                   **MR. WOODWARD:** This is the motion. But inside the  
6 motion, if I may point this out, there's a statement  
7 here that says the defendant requested to file  
8 electronic copies and I give the quote, docket number  
9 three.

10                  **THE COURT:** You did not submit a proposed order?

11                  **MR. WOODWARD:** I can look it up, docket number  
12 three and see. I'm sorry, sir, I'm not an attorney,  
13 but that goes back to docket number three. Can I go  
14 back and get docket three?

15                  Sir, can I make a statement?

16                  **THE COURT:** Sure.

17                  **MR. WOODWARD:** And this goes to my defense against  
18 this man's, upcoming on the 18th, his request for  
19 preliminary injunction. Because I can show that his,  
20 whatever this thing is, whatever this last docket that  
21 he put out, 154, 153, this next thing on 8-18, his  
22 whole thing about rules of admissions and me not  
23 providing that information to him, it's all recorded  
24 on -- it's all on tape in front of Judge Hluchaniuk.

25                  So, all of my evidence against him is on

1 electronic files, multiple electronic files, including  
2 recordings in his own deposition.

3 **THE COURT:** Then where are those documents?

4 **MR. WOODWARD:** They're on discs.

5 **THE COURT:** On the Court file?

6 **MR. WOODWARD:** I have discs, that I have  
7 recordings, including a recording that I purchased from  
8 the Court that has a recording of the hearing on  
9 December 22nd.

10 **THE COURT:** Okay.

11 **MR. WOODWARD:** Okay. So, the December 22nd  
12 hearing was recorded, right?

13 **THE COURT:** Should have been transcribed by a  
14 court reporter.

15 **MR. WOODWARD:** I don't have a transcribed copy of  
16 it, they only gave me an electronic file.

17 **THE COURT:** Who is, "They"?

18 **MR. WOODWARD:** The Court at Flint. And I can only  
19 afford that also. There's a difference in cost between  
20 a \$25 dollar copy and whatever it is versus \$200 to  
21 transcribe a copy and I don't have the funds.

22 **THE COURT:** The hearing was in front of  
23 Hluchaniuk?

24 **MR. WOODWARD:** Correct, sir.

25 **THE COURT:** Were you present?

1           **MR. BUIKEMA:** I was, Your Honor.

2           **THE COURT:** All right. So, you want to do what  
3 with that disc?

4           **MR. WOODWARD:** Well, that disc has electronic  
5 files that proves him -- his statements about  
6 admissions and my answers to admissions are totally  
7 bogus but they're on electronic files. That's why  
8 those orders are important because I need to be able to  
9 produce electronic copy of this information. That's my  
10 evidence against him.

11           **THE COURT:** Do you know what he's talking about?

12       **RESPONSE BY MR. BUIKEMA**

13           **MR. BUIKEMA:** I'm not sure, but I think.

14           And what I think Mr. Woodward is referring to,  
15 first of all, our motion for a partial summary  
16 disposition, which is up for next week. Part of the  
17 basis for that motion was Mr. Woodward's failure to  
18 timely respond to request for admissions which, as you  
19 know, under the rule, if not responded to, are deemed  
20 admitted. I think the Court file speaks for itself in  
21 that regard.

22           But if he has additional information that he  
23 thinks comes from this hearing, from my office or from  
24 Mars, for that matter, I don't care if he submits it, I  
25 take no position on that. And I don't care what form

1 he submits it.

2 But there is no proof of service. There is no  
3 response. There is no --

4 **THE COURT:** Am I'm going to get some documents to  
5 read?

6 **RESPONSE BY MR. WOODWARD**

7 **MR. WOODWARD:** No, sir, it's an audio recording of  
8 this conversation.

9 **THE COURT:** How long does it last?

10 **MR. WOODWARD:** I have it all time stamped. It's  
11 in my motion. It's in my replied responses to these  
12 last three motions that he filed at the end of April.

13 **MR. BUIKEMA:** My recollection, Your Honor, it's  
14 about a 45-minute hearing.

15 **MR. WOODWARD:** I know exactly where it is on the  
16 hearing.

17 **THE COURT:** Where what is?

18 **MR. WOODWARD:** Statements proving that he's lying  
19 in his documentation.

20 **THE COURT:** All right. And you've identified that  
21 on the recording?

22 **MR. WOODWARD:** Correct. And I've tried to  
23 transcribe it and submit it for motions to the Court.

24 **THE COURT:** You tried to transcribe it?

25 **MR. WOODWARD:** I listened to the recording and I



1 wrote it down and I submitted them in motions that I  
2 submitted to the Court because I could not send in  
3 electronic copies because I don't have an order to  
4 produce electronic copies of these files.

5 **THE COURT:** Were these documents submitted to the  
6 Magistrate Judge?

7 **MR. WOODWARD:** They were submitted with my  
8 responses to his last three motions.

9 **THE COURT:** Do you have copies of those?

10 **MR. WOODWARD:** I do.

11 **THE COURT:** Do I need to listen to the --

12 **MR. WOODWARD:** It's my evidence.

13 **THE COURT:** But you say you've got documents.

14 **MR. WOODWARD:** I have what I listened to and what  
15 I wrote down.

16 This whole case is against a website and a website  
17 is all electronic files. He has produced nothing,  
18 including my own student records.

19 **THE COURT:** We'll get to all of that. I want to  
20 know what you're talking about.

21 Am I going to have to listen to a recording to  
22 know what you're talking about?

23 **MR. WOODWARD:** That's my evidence.

24 **THE COURT:** Am I going to have to listen to a  
25 recording?

1           **MR. WOODWARD:** Unless I can get a copy of the  
2 transcription from the December 22nd hearing. I can't  
3 afford a transcription of the 22nd hearing.

4           **THE COURT:** You've told me you've identified in  
5 the recording.

6           **MR. WOODWARD:** Correct.

7           **THE COURT:** Okay. And what is it I'm going to  
8 hear in that section of the recording when I listen to  
9 it?

10          **MR. WOODWARD:** You're going to hear where I  
11 produced my admissions, my answers to interrogatories,  
12 and all of my documentation to support my case. Every  
13 single thing that he wanted, I produced in court.

14          He said to Judge Hluchaniuk that he would take  
15 that information after that hearing and he didn't. He  
16 refused to.

17          **THE COURT:** What do you mean, "Take that  
18 information"?

19          **MR. WOODWARD:** I brought that information for him.

20          **THE COURT:** Are you talking about documents?

21          **MR. WOODWARD:** I'm talking about my admissions, my  
22 answer to my admissions. My answers to  
23 interrogatories. It's 2,500 pages of all my evidence  
24 that I had for him. The index of all that information  
25 I brought for him and he didn't take it. He refused to

1 take it. And it's recorded in front of Judge  
2 Hluchaniuk. And it proves that what he said in his  
3 last motion is a total lie.

4 **THE COURT:** Is this relevant to the hearing on the  
5 18th?

6 **MR. BUIKEMA:** In my mind, absolutely not, Your  
7 Honor.

8 **MR. WOODWARD:** Of course, it's not, it proves that  
9 he's lying to the Court.

10 **THE COURT:** Well, counsel, that doesn't mean  
11 something's not relevant. Irrelevancy has nothing to  
12 do with which side is true, it's just whether it  
13 relates to the subject matter.

14 **MR. WOODWARD:** It does if he says I'm not  
15 producing evidence and I didn't give him the answers to  
16 admissions?

17 **THE COURT:** Where is this disc?

18 **MR. WOODWARD:** I have probably a copy of it here.  
19 As a matter of fact, I have an electronic copy on  
20 my computer. It's either going to be this disc or this  
21 disc.

22 **THE COURT:** Now, you told me there's a specific  
23 point on that recording that relates to what you're  
24 talking about.

25 **MR. WOODWARD:** Correct, sir. Can I go back here

Response By Mr. Woodward  
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20

1 and get -- this is from docket number 152, sir. And  
2 this is my response to his security cost's motion and  
3 it supports his -- it supports my claims against him  
4 for admissions. And I list it here, Exhibit 1, this is  
5 the official court docket number for that electronic  
6 file which is 1103\_01cbalc7d2325970, December 22nd,  
7 2010 Hearing, is the name of the electronic file I  
8 received.

9 **THE COURT:** That's all part of docket what number?

10 **MR. WOODWARD:** 152.

11 **THE COURT:** That's all part of docket number 152?

12 **MR. WOODWARD:** Well, that's the electronic file  
13 I'm trying to present to the Court. It's an exhibit  
14 that I'm trying to submit but the Court wouldn't take  
15 it.

16 **THE COURT:** Hold on. What Court wouldn't take it?

17 **MR. WOODWARD:** The clerks at the County  
18 Courthouse. They won't take it unless I had a court  
19 order to submit electronic documentation.

20 **THE COURT:** I thought you're asking for permission  
21 to file the disc?

22 **MR. WOODWARD:** I am.

23 **THE COURT:** What is it you have in your hand?

24 **MR. WOODWARD:** This is my motion, the actual  
25 recording is the electronic file.

1           Okay. Let me continue. Okay. This starts at  
2           time marker 9:36, so it will be nine minutes and 36  
3           seconds into that electronic file.

4           The plaintiff says: "There's a continued  
5           obligation to answer discovery. The Court ordered him  
6           to answer interrogatories and request for production of  
7           documentation, to date, he has not done so."

8           MR. WOODWARD: "I have, Your Honor. I produced  
9           those. Every single hearing -- I produced those every  
10          single hearing we've had."

11          Okay. So, this time marker here is from a  
12          deposition, from his deposition of which he didn't show  
13          up, he sent a minion to on March 24th.

14          "I've produced those every single hearing we've  
15          had. Every single one of these deposition that these  
16          guys have canceled, I've brought these documentation  
17          with me. It's here. It's here today and they refuse  
18          to take it. He refused. I have a recording of him  
19          refusing to even turn around and look at the  
20          documentation, including these of which I have brought  
21          to the last deposition."

22          Okay. And Judge Hluchaniuk--

23          **THE COURT:** What are you reading from?

24          **MR. WOODWARD:** I'm transcribing what is recorded  
25          on these electronic files I'm trying to produce to the

1 Court, sir.

2 THE COURT: You're reading from a transcript that  
3 you made, is that true?

4 MR. WOODWARD: Correct.

5 THE COURT: Okay.

6 MR. WOODWARD: I'm listening to the recording. I  
7 don't have money for a transcriber.

8 THE COURT: You've told me that three times. I  
9 understand.

10 Okay. So, if I go to 9:36 --

11 MR. WOODWARD: Well, that's on this particular  
12 file. That's one part of evidence that on  
13 December 22nd I tried to give him this information. He  
14 canceled a deposition that was scheduled for  
15 January 4th. He canceled a deposition at the end of  
16 January.

17 February 1st we had a deposition of which he  
18 walked out and I have a recording of him refusing to  
19 take or even look at information on that deposition.

20 He wouldn't even turn around and look at the  
21 visual evidence that I brought with me. He's asking me  
22 to bring all of this stuff to these depositions but he  
23 refuses to look at it.

24 THE COURT: So what?

25 MR. WOODWARD: Well, how does he go ahead and turn

1 around and file a claim against me saying that I'm  
2 refusing to produce answers to his admissions?

3 **THE COURT:** I don't know how that is, I haven't  
4 read it but I'll get to it. Have you responded to the  
5 motion that's up for the 18th?

6 **MR. WOODWARD:** I have, sir. I mean, part of those  
7 responses is my defense here, sir.

8 **THE COURT:** Don't give me voluminous pages, get  
9 right to what we're talking about, okay.

10 **MR. WOODWARD:** It's voluminous, sir.

11 This is from a time stamp. This is the defendant.  
12 Again, I'm not a trained recording. Okay. Here you  
13 go, this is on February 1st, this is an electronic  
14 file, a recording I have with Mr. Buikema who's telling  
15 the Judge that I'm not producing evidence.

16 This is me: "He didn't take--", this is me to his  
17 stenographer: "He didn't take his answers to his  
18 interrogatories either.

19 His stenographer: "That wasn't marked, was it?  
20 He didn't mark it as an exhibit?"

21 "He didn't want it again, okay."

22 That's me talking to his stenographer because he  
23 didn't take the interrogatories that I brought for him  
24 and gave to him.

25 **THE COURT:** Why is it he got a stenographer there?

1           **MR. WOODWARD:** What's that? It's whoever the  
2           court reporter is.

3           **RESPONSE BY MR. BUIKEMA**

4           **MR. BUIKEMA:** He's referring, Your Honor, to his  
5           deposition, at which I would ask him questions, such  
6           as, "What's your name?" And he'd want to produce  
7           documents.

8           **THE COURT:** So, this is his deposition?

9           **MR. BUIKEMA:** Yes, I refused to accept documents  
10          in lieu of an answer of my question, is what he's  
11          referring to, I believe.

12          **MR. WOODWARD:** That is not true. Sir, I brought  
13          to December 22nd, 2,500 pages of documentation,  
14          interrogatories, the answers to his interrogatories,  
15          the answers to his request to admissions and he's  
16          refusing to take this information.

17          **MR. BUIKEMA:** And I can short circuit this, I  
18          hope.

19                 The only item that he's listed, that I think would  
20          be relevant to next week's hearing on the dispositive  
21          motion, would be the request for admission responses.  
22          I don't know whether they were at that hearing or not.

23                 But it's true, I'll stipulate, for the record,  
24          that I left the hearing without accepting the banker's  
25          boxes that Mr. Woodward brought to that hearing, which,



1 by the way, were a motion to compel because they were  
2 all already overdue.

3 And the salient portion of that is the request for  
4 admission responses would still have been overdue as of  
5 that date and therefore deemed admitted.

6 Again, that's not the basis or the entire basis  
7 for the motion for summary disposition but it is part  
8 of the motion. But I think it's of no consequence of  
9 what he's attempting to prove.

10 **MR. WOODWARD:** Sir, can I read another thing to  
11 you?

12 **THE COURT:** Hold on. I think I'm hearing him say  
13 that with respect to the request for admissions that he  
14 was handing you his response, including those other  
15 documents.

16 **MR. BUIKEMA:** I don't know whether that's true or  
17 not. But I can say they would not have been timely at  
18 that time anyway.

19 **THE COURT:** Are you saying that you had with you  
20 the answers to the request for admissions?

21 **RESPONSE BY MR. WOODWARD**

22 **MR. WOODWARD:** I've told him that I've had these.  
23 Yes, sir.

24 **THE COURT:** Okay. And were they included in a lot  
25 of other documents?

1           **MR. WOODWARD:** They were included in a separate  
2 folder.

3           **THE COURT:** Okay. But was he ever going to have  
4 to go through all these other documents?

5           **MR. WOODWARD:** No, sir. He left it on the table.  
6 His stenographer even pointed out that he purposely --  
7 well, he left it on the table and didn't take it.

8           **THE COURT:** What is it that you sat on the table?

9           **MR. WOODWARD:** It was 2,500 pages of the evidence  
10 that I was going to give him.

11           **THE COURT:** That's not what we're talking about.  
12 He says you didn't answer the request for admissions.

13           **MR. WOODWARD:** Okay. Let me go back to this and I  
14 sent you an email, whether or not you got this email or  
15 not, this is last week.

16           This is an email dated December 16th, 2010, at  
17 12:15 p.m. And it was sent to you, myself, and  
18 Mr. Buikema. And the title -- it says in the email,  
19 the title, the subject line of the email is,  
20 "Documentation Interrogatories and Admissions". And in  
21 there I state, "Please, schedule a time after the 22nd  
22 hearing to sign for, verify receipt, and receive  
23 approximately 2,500 pages of my exhibits and Rule 26  
24 documentation, my answers to your interrogatories  
25 request for admissions and request for production."

1 He didn't take any of it.

2 **THE COURT:** Why should he have to go through 2,500  
3 pieces of paper? That's terribly burdensome.

4 **MR. WOODWARD:** I didn't -- I gave it to him on  
5 February 1st.

6 **THE COURT:** Why should he have to go through them?

7 **MR. WOODWARD:** I gave it to him, Your Honor. I --

8 **THE COURT:** You didn't answer my question. It's  
9 not fair he wants one thing about another thing, the  
10 request for admissions and you hand him 2,600 pages and  
11 say, "It's in there some place, you find it"?

12 **MR. WOODWARD:** That is not right. That is not  
13 correct. No, it was in another manila envelope with my  
14 answers to interrogatories, it was completely separate.

15 Judge Hluchaniuk even visually looked at that  
16 stuff and said, "I witness that you have that", and he  
17 told him to take what I brought with him today. He  
18 didn't even have to sign for it, I brought it for him.  
19 I made copies for him.

20 On February 1st, he took the information. Did I  
21 make him sign for it? No. Did he take my 2,500 pages  
22 of that documentation? Yes.

23 **THE COURT:** Do you have copies of your response to  
24 his request for admissions?

25 **MR. WOODWARD:** I'm sure I do.

1           **THE COURT:** You're not going to have to flip  
2 through 2,500 pages, now, right?

3           **MR. WOODWARD:** No, it's right here on this stuff  
4 that I have right here.

5           **THE COURT:** Counsel, are you saying you've never  
6 seen a response to the request for admissions?

7           **MR. BUIKEMA:** We have now.

8           **THE COURT:** You have now?

9           **MR. BUIKEMA:** We have now.

10          **MR. WOODWARD:** So, you do now have my if  
11 admissions?

12          **THE COURT:** He says he now has them, okay.

13          **MR. WOODWARD:** Okay. So, what does that say about  
14 his part?

15          **THE COURT:** I don't know.

16          **MR. WOODWARD:** I'm glad you're typing that up  
17 because he's telling, in his thing for next week, he's  
18 saying I never gave it to him.

19          **THE COURT:** I don't know, we'll talk about that at  
20 the hearing, okay.

21               When did you get it, counsel?

22       **RESPONSE BY MR. BUIKEMA**

23               **MR. BUIKEMA:** I can't answer that question off the  
24 top of my head, it's relatively recent.

25               **THE COURT:** Pardon?

1           **MR. BUIKEMA:** I can't answer that question off the  
2 top of my head. It's relatively recent in the  
3 litigation where we received, what I would consider to  
4 be, nearly conforming responses to request for  
5 admissions.

6           **THE COURT:** Is the failure to respond to request  
7 for admissions part of the basis for your motion?

8           **MR. BUIKEMA:** It is part of the basis for our  
9 motion. And I'll say failure to respond timely is part  
10 of the basis, rather than the failure to respond at  
11 all, which I think is a distinction that Mr. Woodward  
12 is missing.

13 **RESPONSE BY MR. WOODWARD**

14           **MR. WOODWARD:** Sir, I asked Ms. Orem here if she  
15 would verify the date of which he filed the motion for  
16 non-compliance of the motion to compel me to produce  
17 that information. He did it, like, three hours after I  
18 sent him that email on December 16th.

19           I brought that information to him, he didn't have  
20 to go through a bunch of documentation. Matter of  
21 fact, the documentation I gave him, everything was  
22 stamped, Exhibit 1, Exhibit 3, and it has an index, an  
23 electronic Excel Spreadsheet of every single thing that  
24 was inside that 2,500 pages of exhibits.

25           **THE COURT:** Okay. Well, he said he's got the

1 request for admissions now and we'll deal with the  
2 effect of that on the 18th. So, that takes care of  
3 that issue, okay.

4 **MR. WOODWARD:** Correct, sir.

5 And so can I produce electronic files?

6 **THE COURT:** When you use the word, "Produce", what  
7 do you mean?

8 **MR. WOODWARD:** A CD so that I can --

9 **THE COURT:** What do you mean by the word,  
10 "Produce"?

11 **MR. WOODWARD:** Can I use electronic files as  
12 exhibits in our hearings?

13 **THE COURT:** It depends on how much there is?

14 **MR. WOODWARD:** My website is an electronic  
15 website. I can't adequately take electronic files or  
16 paper copy files of an electronic website and all of  
17 the recordings and everything and have, I believe, a  
18 fair hearing.

19 Even his very first docket 1 claim, he didn't even  
20 produce a copy of my website, he produced, like, some  
21 kind of affidavit or something as exhibits.

22 **THE COURT:** How much time is it going to take for  
23 you to produce what you want?

24 **MR. WOODWARD:** I need to respond to his frivolous  
25 claims, sir.

1           **THE COURT:** Try my question again. You want to  
2 introduce some electronic and you want this Court to  
3 sit here and listen to it?

4           **MR. WOODWARD:** I will find the time markings of  
5 the things that I need heard, if that helps. I've  
6 already done it for these two motions.

7           **THE COURT:** You're only going to get a limited  
8 amount of time to present your case. So, I don't know  
9 what you're talking about. How much time is it going  
10 to take?

11           **MR. WOODWARD:** I don't know, sir.

12           **THE COURT:** Well, you should, you're the one that  
13 have the recordings.

14           **MR. WOODWARD:** Well, those recordings prove my  
15 innocence.

16           **THE COURT:** That isn't the question. Answer the  
17 question.

18           **MR. WOODWARD:** I don't know, sir. I can't answer  
19 that.

20           **THE COURT:** You have no idea how long the  
21 recordings are?

22           **MR. WOODWARD:** I don't know how long the  
23 depositions were, off the top of my head. And I can't  
24 tell you how many hours I need to do this.

25           **THE COURT:** Are you suggesting that I'm going to

1 listen to recordings of a deposition?

2 **MR. WOODWARD:** No, parts of it.

3 **THE COURT:** How are you going to do that?

4 **MR. WOODWARD:** Start an audio file player on my  
5 computer and add speakers --

6 **THE COURT:** You're not going to get as much time  
7 as you spent today at this hearing. So, how are you  
8 going to be able to produce this?

9 **MR. WOODWARD:** Well, I need to be able to produce  
10 it when I filed motions against his further motions.

11 **THE COURT:** I can read documents. I don't have  
12 time to sit during a hearing and listen to recordings.

13 **MR. WOODWARD:** You want me to try to transcribe  
14 them then? I don't know what you mean.

15 **THE COURT:** No, but I'm not going to sit here,  
16 unless you tell me, "Judge, it will only take ten  
17 minutes or 15 minutes."

18 **MR. WOODWARD:** For each single little part, yeah,  
19 it will probably take that much time, yes. I don't  
20 expect you, Your Honor, to sit and listen to an entire  
21 deposition. I don't expect that.

22 **THE COURT:** What are you expecting me to listen  
23 to? How much time would you expect me to listen to  
24 recordings at this hearing?

25 **MR. WOODWARD:** For part of it, another option



1 would be to be able to provide me with the hard copies  
2 of the depositions and a hard copy of the deposition on  
3 December 22nd.

4 **THE COURT:** Why do I need the deposition?

5 **MR. WOODWARD:** Because then that's a written copy  
6 of it.

7 **THE COURT:** What's in the deposition that's going  
8 to deal --

9 **MR. WOODWARD:** Hearings.

10 **THE COURT:** Pardon?

11 **MR. WOODWARD:** Well, he's going to use my  
12 depositions against me and I think it's pretty fair I  
13 can use depositions against him.

14 **THE COURT:** I'm not suggesting you can't. But if  
15 he's going to use a deposition, he's going to turn in  
16 the paper so I can read it and you're going to be able  
17 to look at that deposition and use whatever version you  
18 want.

19 **MR. WOODWARD:** I don't have paper copies of the  
20 depositions, I have electronic copies of the  
21 depositions because I can't afford paper copies.

22 **THE COURT:** I understand you can't afford, but I  
23 can't conduct a hearing if I'm going to listen to  
24 recordings and find out, after a long time of  
25 listening, they don't have anything to do with it.

1           **MR. WOODWARD:** You won't, sir. I'll find the time  
2 markings of what I have and I'll write those down.

3           **THE COURT:** You're going to get a limited amount  
4 of time, so you're on notice right now.

5           **MR. WOODWARD:** About how much time do I have?

6           **THE COURT:** Maximum, an half hour for the hearing.

7           **MR. WOODWARD:** The whole hearing is going to last  
8 an half hour?

9           **THE COURT:** Your portion, no more than an half  
10 hour; his portion, no more than an half hour.

11           **MR. WOODWARD:** Okay. So, I have an half hour to  
12 present my case, fine. Can I produce electronic files,  
13 sir, for that hearing, that half hour?

14           **THE COURT:** You mean, play the recordings?

15           **MR. WOODWARD:** Can I play the recordings?

16           **THE COURT:** Yes.

17 **RESPONSE BY MR. BUIKEMA**

18           **MR. BUIKEMA:** And Judge, I certainly agree with  
19 Mr. Woodward proffering any evidence he wishes to  
20 proffer at that hearing, but I'm reserving any  
21 objections to the admissibility of the same, the  
22 authenticity of the same and I expect to have some.

23           And I might add, the time to respond to my motion  
24 has come and gone, so this may be the first time that I  
25 have an opportunity to see whatever it is he's

1 suggesting he can produce in response to summary  
2 disposition here.

3 But I've understood what you've said.

4 **THE COURT:** Okay. Anything else?

5 **Motion to File Counter-Claim**

6 **ARGUMENT BY MR. WOODWARD**

7 **MR. WOODWARD:** Yes, sir. Seeing that in this  
8 case, Mr. Buikema has failed to produce my student  
9 records, I request permission to file counter-claims  
10 against AUA for a civil rights violation for failure to  
11 provide --

12 **THE COURT:** You'll have to file a motion that I  
13 can read because I can't imagine what you're talking  
14 about. You'll have to file a motion, he'll respond and  
15 then I'll decide whether you can file any counter-claim  
16 at this late date. A written motion.

17 **MR. WOODWARD:** And I produced that. I produced a  
18 written motion for that.

19 **THE COURT:** Time out. What do you mean, "You  
20 produced"?

21 **MR. WOODWARD:** I created a written motion for  
22 that, sir.

23 **THE COURT:** Are these matters pending before the  
24 Magistrate?

25 **MR. WOODWARD:** Yes, sir.

1           **THE COURT:** Then we're going to let the Magistrate  
2 deal with them.

3           **MR. WOODWARD:** Yes, sir.

4           **THE COURT:** All right. Anything further?

5           **MR. WOODWARD:** Not at this time, Your Honor.

6           **MR. BUIKEMA:** No, Your Honor. Thank you for your  
7 time.

8           **THE COURT:** Now, we're going to file the disc?

9           **MR. WOODWARD:** I'll submit it to the Court.

10           Again, I have two Exhibit 1 discs here, I'll have  
11 to put it in and look at each one.

12           **THE COURT:** What do you want filed with the clerk?

13           **MR. WOODWARD:** Well, if I submit a response to his  
14 motion and I have, like, let's just say I have the  
15 hearing on electronic form, I would like to be able to  
16 take that CD and --

17           **THE COURT:** No, you said you wanted an order here,  
18 I'm going to let you do that. Not any more discs.  
19 We're not going to fill this court with discs, all  
20 right.

21           **MR. WOODWARD:** But I can produce them during the  
22 hearing, correct?

23           **THE COURT:** The one you're going to mark, not  
24 going to take more than an half hour, yes.

25           Now, is there a disc you want submitted now and

1 filed with the Court?

2 **MR. WOODWARD:** Yes, I have a whole bunch of them.

3 **THE COURT:** No, you're not going to file a bunch  
4 of them. You said you had one disc. What are you  
5 doing?

6 **MR. WOODWARD:** I need to look at the Exhibit 1 I  
7 gave you versus this Exhibit 1, defendant's motion to  
8 compel.

9 **RESPONSE BY MR. BUIKEMA**

10 **MR. BUIKEMA:** Judge, if I understand correctly,  
11 Mr. Woodward is attempting to put in, in disc form,  
12 simply a video copy of the hearing that was conducted  
13 in front of Judge Hluchaniuk regarding my motion to  
14 compel. That's already a part of the court record. I  
15 don't think it needs to be submitted.

16 **RESPONSE BY MR. WOODWARD**

17 **MR. WOODWARD:** I don't have a hard copy of that,  
18 sir.

19 **THE COURT:** This document, you say, "Motion  
20 Request for Filing Electronic Data, Docket 132", what  
21 were you asking to file?

22 **MR. WOODWARD:** In docket three, my website is  
23 based on electronic files. He's even asked for  
24 electronic files from me. I produced those for him,  
25 those files should be available for court, I would

1 think.

2 **THE COURT:** What are you asking to file, one disc?

3 **MR. WOODWARD:** Discs to support my claims.

4 **THE COURT:** One disc?

5 **MR. WOODWARD:** Well, if I'm responding to a motion  
6 and the motion is in reference to electronic files, I  
7 believe I have the right to file electronic files.

8 **THE COURT:** I'm asking you, you filed this motion,  
9 what were you talking about?

10 **MR. WOODWARD:** I'm talking about the ability to  
11 when I respond to a motion --

12 **THE COURT:** Counsel, you said the clerk wouldn't  
13 accept something.

14 **MR. WOODWARD:** Correct.

15 **THE COURT:** What is it you were asking the clerk  
16 to accept?

17 **MR. WOODWARD:** In multiple motions I've asked the  
18 clerk to accept discs that have evidence on the discs  
19 to support my claims.

20 **THE COURT:** Multiple?

21 **MR. WOODWARD:** If my response to the motion is  
22 evidenced in my case, I believe I have the right to  
23 present it under the Rules of Evidence that anything  
24 that's pertinent to the case should be able to be  
25 admissible.

1           **THE COURT:** Finding out what's pertinent is a big  
2 question and I'm not going through disc after disc. I  
3 thought when you started you had one disc that you  
4 wanted to submit in conjunction to this motion and the  
5 clerk wouldn't take it and I indicated, "I'll take that  
6 disc." I don't know which disc you're talking about.

7           **MR. WOODWARD:** Your Honor, throughout this case  
8 I've had discs of evidence. I've given him electronic  
9 copies of discs with evidence. He's asked for  
10 electronic copies of files from me and I've produced  
11 them.

12           **THE COURT:** What do you want the Court to accept  
13 for filing?

14           **MR. WOODWARD:** Sir, if my reply, my response to  
15 one of his motions, the evidence of that to support my  
16 response to his motion is in electronic form, I believe  
17 I have the right to submit that file.

18           **THE COURT:** Have you submitted an answer in  
19 writing?

20           **MR. WOODWARD:** I have submitted responses to that  
21 in writing. I've made transcriptions of electronic  
22 files because I cannot submit a disc. So, I listen to  
23 it, I write down what I hear and I submit it.

24           **THE COURT:** Okay. Let's go with that. And he's  
25 seen copies of what you've submitted?

Response By Mr. Woodward  
Thursday/August 11, 2011

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1           **MR. WOODWARD:** Well, he was at the deposition --

2           **THE COURT:** That's not my question. Listen, okay.

3           My proceeding, in this case, may well be that you  
4           have the disc, okay, as best you could, fair enough?

5           **MR. WOODWARD:** Fair enough.

6           **THE COURT:** He has a copy of the disc, correct?

7           **MR. WOODWARD:** Yes, he should have. I mailed it  
8           to him and he should have copies of all of it and he  
9           was there.

10          **THE COURT:** My question is, does he have a copy of  
11          the disc?

12          **MR. WOODWARD:** He does. I mailed all of the  
13          copies and he should have a copy that I mailed. It was  
14          the clerks that wouldn't accept this.

15          **THE COURT:** Do you have a copy of the disc?

16          **RESPONSE BY MR. BUIKEMA**

17          **MR. BUIKEMA:** I have discs. Which discs and which  
18          he's talking about? I have no understanding.

19                   **Summary By The Court**

20          **THE COURT:** Fair enough. What I'm going to  
21          suggest is this, if you've got a motion and your motion  
22          refers -- includes a transcript of some proceeding that  
23          you've taken from a disc and you've transcribed it  
24          yourself, okay?

25          **MR. WOODWARD:** Yes.



Summary By The Court  
Thursday/August 11, 2011

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1           **THE COURT:** I want to know that he has a copy of  
2           that disc so he can listen to it and he could say your  
3           transcription is basically correct or not correct. If  
4           it's basically correct, I don't need to listen to any  
5           disc.

6           **RESPONSE BY MR. WOODWARD**

7           **MR. WOODWARD:** I have another -- here's another  
8           example that I need to bring up at this point in time.  
9           My response to his upcoming motion here is a video from  
10          Fox News that the President of the school admitting  
11          that he's paying back students who went to their school  
12          for a nursing program of which the school promised  
13          them, according to the documentation, that they would  
14          be allowed to sit for their nursing board exams and  
15          they were not. And it's his President confirming that  
16          information.

17          **THE COURT:** So.

18          **MR. WOODWARD:** That's evidence to support my  
19          claims.

20          **THE COURT:** Counsel, have you responded to his  
21          motion?

22          **MR. WOODWARD:** Yes, I did, sir.

23          **THE COURT:** And in that written response, did you  
24          mention that?

25          **MR. WOODWARD:** I did, sir. I gave the URL and I

1 believe I put that video on that disc.

2 **THE COURT:** What disc?

3 **MR. WOODWARD:** The disc that I sent him in  
4 response to this motion.

5 **THE COURT:** You filed your response, didn't you?

6 **MR. WOODWARD:** I did, sir, but I wasn't able to  
7 give the Court the disc because the clerks wouldn't  
8 take the electronic evidence, sir.

9 **THE COURT:** How many different discs are we  
10 talking about?

11 **MR. WOODWARD:** Sir, this is evidence to support my  
12 claim.

13 **THE COURT:** Listen to my question, how many?

14 **MR. WOODWARD:** I don't know, sir.

15 **THE COURT:** You understand that question?

16 **MR. WOODWARD:** I do, I can't answer you that.

17 **THE COURT:** Then say that.

18 **MR. WOODWARD:** I'm sorry, I can't answer that.

19 **THE COURT:** You have no idea?

20 **MR. WOODWARD:** At this time, I don't. If he filed  
21 a motion against me, in my response to that motion, I  
22 can't have a cumulative bunch, I'd have to file a  
23 response for my response to his motion. Does that make  
24 sense?

25 If he files a motion against me, I read his

1 motion, if my evidence to support my side, my response  
2 is in electronic form, I put it on a disc, I submit it  
3 to the Court, the Court doesn't take the disc. I take  
4 the disc, I attach it to the motion, I put it in the  
5 mail and I mail it to him.

6 **THE COURT:** But you filed a written response to  
7 the motion.

8 **MR. WOODWARD:** I filed a written response. But  
9 one of the exhibits is our electronic file. The  
10 individual, electronic file.

11 **THE COURT:** But in many cases, you transcribed  
12 them?

13 **MR. WOODWARD:** Not these, these are right from Fox  
14 News, right from --

15 **THE COURT:** No, I'm not there at all. I want to  
16 know whether or not you have transcribed the disc that  
17 you believe support your position?

18 **MR. WOODWARD:** The verbal ones we've had at the  
19 hearings and the depositions. The parts of the discs  
20 that I believe support me, I have. But the video copy,  
21 I can't transcribe a video hearing of Fox News. It  
22 overwhelmingly supports my case.

23 **THE COURT:** So, how do you --

24 **MR. WOODWARD:** It would be like a murderer getting  
25 a security camera of somebody shooting somebody in the

1 head, you can't describe that.

2 **THE COURT:** How do you intend to present it?

3 **MR. WOODWARD:** Whatever means you see fit.

4 **THE COURT:** How do you suggest it?

5 **MR. WOODWARD:** I was going to bring in a projector  
6 and show it on the wall.

7 **THE COURT:** How long will it last?

8 **MR. WOODWARD:** I believe it lasts five minutes.

9 **THE COURT:** And that's part of what you want to --

10 **MR. WOODWARD:** There's another electronic file  
11 that I would like to present.

12 **THE COURT:** All right. Well, I'll let you show  
13 that five-minute clip during the hearing, okay?

14 **MR. WOODWARD:** Thank you, sir. About five  
15 minutes. Thank you.

16 **THE COURT:** With respect to the other disc, I want  
17 you to let the counsel know, if you haven't already,  
18 any response to a motion in which you claim there's  
19 information on a disc and that you've transcribed it  
20 and you're giving him a copy of the transcription so  
21 that he knows that this transcription by you is on Disc  
22 "A".

23 **MR. WOODWARD:** I've already done that, sir. The  
24 Court is the only one that won't accept the discs.  
25 I've already mailed them to him.

1           **THE COURT:** Yeah, but he has to know exactly what  
2           you're talking about. Which disc relates to which so  
3           he can, you know.

4           **MR. WOODWARD:** Correct.

5           **THE COURT:** So, how can you communicate with him  
6           and let him know which disc relates to which response?

7           **MR. WOODWARD:** I've already tried to do that, sir,  
8           in my motions such as what I've presented today. I've  
9           already given you a disc -- didn't I give you a disc?

10          Okay. Anyway, I've already tried to transcribe a  
11          verbal conversation that was December 22nd hearings.  
12          It's a recording. It's a verbal recording.

13          **THE COURT:** I just want you to specifically  
14          identify a disc and relate it to a particular paper  
15          that you filed.

16          **MR. WOODWARD:** Correct, sir, and I tried to do  
17          that with Mr. Buikema.

18          **THE COURT:** Don't tell me you tried to.

19          **MR. WOODWARD:** I stuck it in the mail and put a  
20          disc with it. This disc is with this motion, here you  
21          go. I did the same thing with the Court: "Here's the  
22          Judge's copy, here's the court's copy, here's the  
23          disc." They don't accept the disc.

24          **THE COURT:** How many did you send to him?

25          **MR. WOODWARD:** They won't accept them.

1           **THE COURT:** No, I said him.

2           **MR. WOODWARD:** Oh, I sent him all of them.

3           **THE COURT:** That doesn't tell me anything.

4           **MR. WOODWARD:** Approximately six.

5           **THE COURT:** Are these matters that are pending  
6 before Magistrate Hluchaniuk?

7           **MR. WOODWARD:** Some of them, yes.

8           **THE COURT:** I need to know which ones.

9           **MR. WOODWARD:** Okay. It would be defense response  
10 for plaintiff's motion for security costs. Defense  
11 response for sanctions for defendant's failure to  
12 comply with Court orders. And defense response to  
13 plaintiff's motion for summary judgment.

14           **THE COURT:** All right. Now, the response to the  
15 summary judgment, that's the one that's up on the 18th?

16           **MR. BUIKEMA:** It is, Your Honor.

17           **THE COURT:** Have you got discs? Are you going to  
18 present something in conjunction with that response?

19           **MR. WOODWARD:** The electronic files that I've  
20 identified in this are -- I gave him a disc and in that  
21 disc it had "A", "AA", "AB", "AC", "AE", and "AF". The  
22 disc is called Disc "A", that would be here, Summary  
23 Judgment. It's this disc here.

24           This disc is electronic files for this upcoming  
25 hearing for defense response to plaintiff's motion for

1 summary judgment. And on there is the Fox News  
2 recording. There's a copy of AUA's Student Handbook,  
3 which he said he never received, of which it's his  
4 company's document.

5 An electronic copy of the student handbook. An  
6 electronic copy of the fifth semester student handbook,  
7 is what he said he never received. It's an electronic  
8 copy of the fifth semester syllabus. It's the  
9 guidelines, the electronic copy of the guidelines is  
10 the response -- it's the guidelines is the one that he  
11 said he never received. That's his own document.

12 **THE COURT:** Aren't there hard copies of all of  
13 that?

14 **MR. WOODWARD:** Not the biochemistry review, not  
15 the Fox News. The student handbook and the rest of  
16 them, there are. But this is my response to his claim.  
17 And so to provide the student handbook and the fifth  
18 semester syllabus and hard copies of the files,  
19 electronic copies of what I have, which are copies of  
20 electronic files that they emailed me back in 2007,  
21 those are on here.

22 **THE COURT:** Have you transcribed that disc?

23 **MR. WOODWARD:** I can't transcribe -- I mean, I  
24 could but it would take me volumes -- I mean, I might  
25 as well get a hard copy. But I can produce a hard copy

1 of it but --

2 **THE COURT:** I don't know that it's even relevant,  
3 so I don't want to spend time going through these  
4 things.

5 **MR. WOODWARD:** All I'm saying is that some of the  
6 stuff is raw and others are stuff that support my  
7 motion.

8 In my response, if I made a response and part of  
9 that exhibit was from the student handbook, then I  
10 would refer to the electronic copy versus referring to  
11 a paper -- well, it's not that thick but the student  
12 handbook is, like, that thick though.

13 Instead of producing the hard copy of a student  
14 handbook for every single response, I just put it on  
15 electronic form.

16 **THE COURT:** Can't you print it out?

17 **MR. WOODWARD:** I have a bunch of printout copies.

18 **THE COURT:** Print out just the relevant pages,  
19 can't you do that?

20 **MR. WOODWARD:** I can, sir.

21 **THE COURT:** Wouldn't that be the thing to do  
22 instead of burdening the Court with a pamphlet that,  
23 90 percent, doesn't have anything to do with this case?

24 **MR. WOODWARD:** Well, sir, with all due respect, I  
25 didn't know that the Court couldn't -- that they



1           couldn't handle an electronic copy of evidence to  
2           support somebody's claims against them.

3           **THE COURT:** How do you think we could handle it?

4           **MR. WOODWARD:** Create a database of electronic  
5           files.

6           **THE COURT:** Print out all that stuff?

7           **MR. WOODWARD:** No, create a database of electronic  
8           files. You store emails. If you store emails -- all  
9           of this stuff you scan in and turn it into electronic  
10          file without a paper.

11          **THE COURT:** And how do I read it?

12          **MR. WOODWARD:** How do you read it? You read it  
13          out of PACER.

14          **THE COURT:** On the computer?

15          **MR. WOODWARD:** On the computer.

16          **THE COURT:** I'm not going to sit and read page  
17          after page on the computer.

18          **MR. WOODWARD:** I'm not familiar, sir, with how you  
19          do your business. I'm sorry but I --

20          **THE COURT:** No, I like hard copies.

21          **MR. WOODWARD:** Okay. Knowing that, everything  
22          that I can produce, in hard copy format, sir, I will.  
23          But again, I'm not a trained stenographer. I'm going  
24          to do the best I can to produce that information.

25          For me, being a computer science person that's --

1 especially with the initiative to reduce paper in the  
2 United States, this is easier than producing this.

3 If I could send you this in electronic file versus  
4 walking down to the Clerk's Office, if I could email it  
5 to you -- but I'll do whatever you need.

6 **THE COURT:** You have filed the response to the  
7 motion?

8 **MR. WOODWARD:** This is my response to his motion  
9 coming up.

10 **THE COURT:** Hear my question. Have you filed it?

11 **MR. WOODWARD:** Yes, sir.

12 **THE COURT:** So, I have it?

13 **MR. WOODWARD:** Yes, sir, you have the hard copy  
14 parts of it. You want me to print out a supplement of  
15 the electronic copies of the pages?

16 **THE COURT:** I don't want any more pages unless  
17 it's really pertinent to something, okay. And I  
18 require people to give me the page or pages. Don't  
19 give me a 500-page document and say, "It's in there  
20 some place, Judge", you know, I'm not going to see it.

21 **MR. WOODWARD:** I understand that, sir. And I've  
22 tried to identify the page numbers and paragraph  
23 numbers.

24 **THE COURT:** Print out, bring in the hard copy and  
25 limit your hard copy to that which is pertinent to the

1 motion.

2 **MR. WOODWARD:** Yes, sir.

3 **THE COURT:** All right. We'll see you on the 18th.  
4 Do you want her to accept some disc for filing?

5 (Disc given to Clerk by Mr. Woodward)

6 **THE COURT:** Now, that's the disc relating to what?

7 **MR. WOODWARD:** That's the summary judgment.

8 **THE COURT:** Motion?

9 **MR. WOODWARD:** Correct, sir.

10 **THE COURT:** All right. Does that relate to this  
11 motion?

12 **MR. WOODWARD:** Yes, it's part of it, producing  
13 electronic copies to help support my claim, yes.

14 **THE COURT:** Is that identified somehow so in my  
15 order I can indicate that it be --

16 **MR. WOODWARD:** Says Exhibit "A", Summary Judgment.

17 **THE COURT:** All right. Produce an order and we  
18 will file that. Now, you don't have another copy of it  
19 or you do/

20 **MR. WOODWARD:** I have it on my computer, I have  
21 plenty of copies.

22 **THE COURT:** Counsel have a copy of it?

23 **MR. BUIKEMA:** I wouldn't know, Your Honor.

24 **MR. WOODWARD:** He should have. I mailed it to  
25 him.

1           **MR. BUIKEMA:** I understand Mr. Woodward's  
2           admissions as if they were -- about as well as if they  
3           were written in sand-script, frankly. I don't know  
4           what he's referring to.

5           **MR. WOODWARD:** I can prove that he has copies of  
6           it.

7           **THE COURT:** No, no. Is there a date on this?

8           **MR. BUIKEMA:** I have discs.

9           **THE COURT:** No, is there a date on this disc, the  
10          summary judgment, that he could look through the disc  
11          he has to see which one we're talking about now? How  
12          would he know, when he looks at a bunch of discs that  
13          you've mailed him, which one relates to this?

14          **MR. WOODWARD:** It says, Exhibit "A".

15          **THE COURT:** On the copy you sent him?

16          **MR. WOODWARD:** Right. Whatever is written on that  
17          page is what I wrote on his.

18          **MR. BUIKEMA:** Okay. Fair enough.

19          **MR. WOODWARD:** And he's obviously looked at it  
20          because his reply to my response says that he did not  
21          receive the guidelines as part of that. The  
22          guideline's file of which is his own company's  
23          documentation.

24          **THE COURT:** All right. We'll see you on the 18th.

25          **MR. WOODWARD:** Thank you, very much, sir.

Response By Mr. Woodward  
Thursday/August 11, 2011

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(Whereupon proceedings concluded at 4:15 p.m.)

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**C E R T I F I C A T I O N**

I, Nefertiti A. Matthews, official court reporter for the United States District Court, Eastern District of Michigan, Southern Division, appointed pursuant to the provisions of Title 28, United States Code, Section 753, do hereby certify that the foregoing is a correct transcript of the proceedings in the above-entitled cause on the date hereinbefore set forth.

I do further certify that the foregoing transcript has been prepared by me or under my direction.

Date: September 6, 2011

s:/Nefertiti A. Matthews  
Nefertiti A. Matthews,  
Official Court Reporter

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